

To: Tiago, Joseph[Tiago.Joseph@epa.gov]; Dermer, Michele[Dermer.Michele@epa.gov]
From: Albright, David
Sent: Wed 5/1/2013 7:38:41 PM
Subject: RE: California AEs and CIPA
Draft CA Aquifer Exemption FindingsRev(final).pdf

Hi Joe,

Per our conversation, attached is a paper that we prepared with preliminary findings regarding the AEs in CA. Not for external release at this time, although we did share with the State Div of Oil and Gas.

Please give me or Michele a call if you have further questions. It would also be helpful to hear back after the meeting, if you are there or otherwise able to get feedback.

Thanks,
David

From: Tiago, Joseph
Sent: Wednesday, May 01, 2013 10:54 AM
To: Albright, David; Bergman, Ronald; Dermer, Michele
Subject: RE: California AEs and CIPA

Hi David,

I am still trying to gather additional information related to tomorrow's meeting. In the meantime if you could provide us with additional information or data related to this 1983 AE approval, that would be great. Based on the records sent to HQ currently in our tracking system, I do not have any AE approved in Region 9 prior to 1987. Some of the records don't have dates associated with them.

Also if you have MOA with DOGGR can we get a copy?

Thanks!

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From: Albright, David
Sent: Wednesday, May 01, 2013 11:39 AM
To: Bergman, Ronald; Dermer, Michele
Cc: Tiago, Joseph
Subject: RE: California AEs and CIPA

Yes, we've definitely told the State that we do not see how we could "just extend the original AE." You or Joe can follow up with Michele or me. Thanks.

From: Bergman, Ronald
Sent: Wednesday, May 01, 2013 8:37 AM
To: Albright, David; Dermer, Michele
Cc: Tiago, Joseph
Subject: Re: California AEs and CIPA

Thank you. This is helpful.

The request for information came from Bob Perciasepe's special assistant. I know our AA and AA-designee are attending, but I don't know if Bob will. Probably Bob Sussman, as he heads up the energy issues for the Agency.

Should we follow up with one of you, or with staff? I am off to the dentist, so I may ask Joe Tiago to follow up.

Thanks again. I am guessing the state told industry that new areas will need new AEs, and Industry wants EPA to either promise to expedite review or just extend the original AE.

From: Albright, David
Sent: Wednesday, May 01, 2013 10:09:33 AM
To: Bergman, Ronald; Dermer, Michele
Subject: RE: California AEs and CIPA

Hi Ron,

We are aware of an issue with aquifer exemptions (I think I may have mentioned this previously to Ann as an item that was on the horizon), but I'm not sure which specific aquifers you (they) are referring to when you say "the aquifers in question." The short story is that in 1983, when primacy was first granted, EPA approved a large number of exempted aquifers, basically matching the oil pool boundaries where data showed the aquifer to be fresh (i.e., less than 10,000 ppm). Subsequent to the granting of primacy, some oil pool boundary designations have changed, there have been new discoveries, etc. but there have not been many formal actions through the years to update what is officially exempted. We elevated this issue to CA DOGGR (Class II primacy agency) quite a while ago, and they have been working to 1) figure out where there are specific discrepancies between what EPA approved in 1983 and the present; 2) identify which areas with such discrepancies may need aquifer exemption consideration; and 3) develop a proposal as to how they wish to proceed in terms of preparing documentation and requesting EPA action for expanded and new AE boundaries.

We had expected that DOGGR would have completed their assessment and developed a proposal for consideration by now, and we were expecting to engage HQs on this situation once they came forward with such a proposal. Alas, at last contact, they are still in the analytical phase.

Which "political brass" is CIPA meeting with tomorrow? I was not aware that the industry had taken up this issue. Curious to know what else might be on their agenda, if there is one.

Please feel free to give me/Michele a call today. In answer to your question, we do have records of what EPA approved in 1983, although I would not characterize the record as straightforward.

David

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From: Bergman, Ronald
Sent: Wednesday, May 01, 2013 5:03 AM
To: Dermer, Michele; Albright, David
Subject: California AEs and CIPA

Hi Michele and David,

The California Independent Petroleum Association is meeting with the HQ political brass tomorrow. They raise the aquifer exemption issue, saying that the aquifers in question were exempted in California's 1983 primacy agreement.

Do you know about this issue? Do you have records of what was exempted in 1983?

The meeting is tomorrow, so any information that you have would be appreciated. Unfortunately, this is all I know about the issue.

Thank you

